



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

**AUG 16 2016**

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**NOTICE OF VIOLATION**

Mr. Don Armstrong  
Plant Superintendent  
Swarne Lumber Co., Inc.  
5530 Nordic Place  
Ferndale, Washington 98248

Re: Swarne Lumber Co., Inc.  
Washington Industrial Stormwater General Permit Number WAR002156

Dear Mr. Armstrong:

On January 1, 2015, the Washington Department of Ecology renewed the Industrial Stormwater General Permit (ISGP) to the Swarne Lumber Co., Inc. ("Facility"), ISGP Permit Number WAR002156, which will expire on December 31, 2019. On September 1, 2015, the U.S. Environmental Protection Agency (EPA) conducted an inspection of the Facility to determine compliance with the Washington ISGP and Section 402 of the Clean Water Act (CWA). The purpose of this letter is to notify you of violations EPA discovered upon review of administrative files, including the Discharge Monitoring Reports (DMRs) submitted by the Facility, and in response to the inspection conducted by EPA. I would like to express my appreciation for your staff's time and cooperation during the inspection.

**ADMINISTRATIVE FILE REVIEW**

1. EPA reviewed the Washington Water Quality Permitting and Reporting Information System ("PARIS") DMRs from June 2011 through July 2016 and identified one benchmark exceedance, which occurred during the 3<sup>rd</sup> Quarter of 2012. The benchmark for pH should be between 5.0 and 9.0 SU. The pH reading for the 3<sup>rd</sup> Quarter of 2012 was 4.88 SU.
2. Part S9.A.2 of the ISGP specifies that the DMRs are due by the dates shown in Table 9 below:

**Table 9: Reporting Dates and DMR Due Dates**

Reporting Period	Months	DMR Due Date
1st	January - March	May 15
2nd	April - June	August 15
3rd	July - September	November 15
4th	October - December	February 15

After a review of PARIS records from June 2011 through July 2016, EPA discovered that the Facility submitted four quarterly DMRs late. These are violations of Part S9.A.2 of the ISGP. A list of the violations is enclosed (Enclosure A).

#### SEPTEMBER 2015 INSPECTION

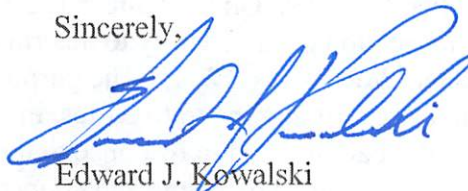
At the time of the inspection, the Facility had ceased operations. The only activity that was occurring was facility clean-up and removal of the remaining product. Because of the Facility's status, the inspector conducted a limited inspection, which consisted of an interview with you and a tour of the Facility's product storage area. It was dry at the time of inspection so the inspector did not observe runoff coming from the vicinity of the storage area.

At the time of the inspection, Mr. Armstrong told the inspector that currently, there was no plan to terminate the Permit.

Although our goal is to ensure facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the ISGP requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure B). If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski  
Director

#### Enclosures

cc: Mr. Josh Baldi  
Director, Northwest Regional Office  
Washington Department of Ecology

Mr. Doug Allen  
Manager, Bellingham Field Office  
Washington Department of Ecology